IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FOURTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 6807 of 1996

Between:

Bharateeya Gruha Vikas Sankshema Seva Sangam, (Society Registered under Societies Registration Act),
rep. by its Secretary P. Venkateswara Rao,
S/o. Ramachandra Rao R/o. Visakhapatnam.

..... PETITIONER

AND

The Vice-Chairman Visakhapatnam Urban Development Authority,
VUDA complex, Sripuram junction,
Visakhapatnam, Visakhapatnam Dist.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly a writ in the nature of writ of Mandamus declaring the action of the Respondent in not considering the petitioner application dated 31-12-1992 filed for sanctioning and regularising of the layout of the petitioner society as illegal and arbitrary and consequently direct the Respondent herein to regularise the layout made by the petitioner society.

Counsel for the Petitioner: MR.A.RAVI SHANKAR

Counsel for the Respondent : MS SUMALINI REDDY

The Court made the following :

HONOURABLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO.6807 OF 1996

ORDER:

This writ petition is filed seeking a writ of mandamus to declare the action of the respondents in not considering the petitioner's application dated 31.12.1992 filed for sanction and regularization of lay out, as illegal and arbitrary.

In the counter it is stated that pursuant to the application dated 31.12.1992, the Vishakapatnam Urban Development Authority, after examining the proposals, has returned the lay out proposals vide office letter dated 12.12.1993 in Dis.No.2592/93 informing the applicant to resubmit the proposals for lay out along with clearance certificate from APIIC and also to produce necessary certificate from the Mandal Revenue Officer.

Inasmuch as the respondent-authority has already replied to the application dated 31.12.1992, it cannot be said that the respondents have not considered the same. In pursuance of the letter No.2592/92, dated 12.12.1993, if the petitioner has complied with the necessary formalities as required under law, it is open for the respondents to consider and pass appropriate orders.

Subject to above observation, the writ petition is disposed of. No order as to costs.

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(JUSTICE R.SUBHASH REDDY)

Dt.24.02.2005.

Mdaa.

Copy to:

The Vice-Chairman Visakhapatnam Urban Development Authority,
VUDA complex, Sripuram junction,
Visakhapatnam, Visakhapatnam Dist.

2. Two C.D.Copies.